

PROB 12C
(6/16)

Report Date: February 14, 2022

United States District CourtFILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

for the

Feb 14, 2022

SEAN F. McAVOY, CLERK

Eastern District of Washington**Petition for Warrant or Summons for Offender Under Supervision**

Name of Offender: Shafer Hepburn

Case Number: 0980 2:17CR00241-RMP-1

Address of Offender:

Spokane, Washington 99202

Name of Sentencing Judicial Officer: The Honorable Virginia M. Covington-Hernandez, U.S. District Judge

Name of Supervising Judicial Officer: The Honorable Rosanna Malouf Peterson, Senior U.S. District Judge

Date of Original Sentence: June 22, 2010

Original Offense: Distribute and Possess with Intent to Distribute Cocaine Base, 21 U.S.C. § 841(a)(1)(b)(1)(C)
Felon in Possession of a Firearm, 18 U.S.C. § 922(g)(1)

Original Sentence: Prison - 168 Months; Type of Supervision: Supervised Release
TSR - 72 Months

Amended Sentence: Prison - 120 Months;
(June 22, 2011) TSR - 72 Months

Asst. U.S. Attorney: Daniel Hugo Fruchter Date Supervision Commenced: November 17, 2017

Defense Attorney: Lorinda Meier Youngcourt Date Supervision Expires: November 16, 2023

PETITIONING THE COURT

To **issue a WARRANT** and to incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court on 10/05/2020, 02/10/2021, 02/25/2021, 05/04/2021, 01/06/2022, and 02/08/2022.

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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Mandatory Condition # 2: The defendant shall not commit another federal, state, or local crime. Based on the probation officer's determination that additional drug urinalysis is necessary, the Court authorizes random drug testing not to exceed 104 tests per year. The Defendant shall not illegally possess controlled substance. The defendant shall refrain from any unlawful use of a controlled substance.

Supporting Evidence: Mr. Hepburn is alleged to have violated mandatory condition number 2 by being arrested on February 12, 2022, for the offense of Third Degree Malicious Mischief - Domestic Violence, in violation of R.C.W. 9A.48.090 a gross misdemeanor.

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On November 17, 2017, a U.S. probation officer reviewed with Mr. Hepburn his conditions of supervision. He signed his judgment acknowledging an understanding of his conditions of supervision, which included mandatory condition number 2, requiring him to not commit another federal, state or local crime.

Specifically, and according to received police reports, on February 12, 2022, law enforcement responded to a reported burglary occurring in the Spokane Valley. Upon law enforcement's arrival, they contacted the victim who identified herself as the wife of Mr. Hepburn and who indicated that the client had been residing at the residence off and on for the last 5 years. The contact further indicated that she had been home earlier in the day with the client, but at that time he left the residence and returned later that night intoxicated. The contact advised that she told the client he needed to leave her house, at which time he indicated that he would sleep in his vehicle in the driveway. The contact indicated that she did not want him at the residence at all, and she proceeded outside to both check on him to ensure he was able to drive and also to let him know that he needed to leave.

Upon returning to the residence, the contact advised that she observed Mr. Hepburn through the window approaching the front door, which she then locked. The contact advised Mr. Hepburn then stated, "open the door before I kick it down." The contact advised that Mr. Hepburn then forced his way into the residence by kicking open the door and breaking the deadbolt. The officer observed the door frame to be damaged with pieces of it present in the living room. The contact advised that Mr. Hepburn got in her face and stated, "don't be a slick bitch," but subsequently departed the residence once she indicated that law enforcement was on the way. The contact advised that Mr. Hepburn also ripped an exterior camera off of the outside wall of the residence, severing the wire which was attached. The contact advised that she believed the client caused approximately \$190 in damage to the residence as outlined herein.

The officer concluded the report indicating probable cause had been established for the arrest of Mr. Hepburn for the offense of third degree malicious mischief - domestic violence. Officers subsequently located Mr. Hepburn in the Spokane Valley, after officers stopped a vehicle that matched the description of that belonging to Mr. Hepburn. Officers described Mr. Hepburn as being "semi-compliant," but ignoring commands. Mr. Hepburn was subsequently arrested by deputies and advised as to the offense for which he was being arrested. As a result of the client's conduct as outlined herein a no contact order was issued and subsequently served on the client.

As of the date of this report, Mr. Hepburn no longer remains in the Spokane County Jail and current Court records do not reflect the next scheduled Court action.

The U.S. Probation Office respectfully recommends the Court to incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court, and that the Court **issue a WARRANT**.

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I declare under penalty of perjury that the foregoing is true and correct.

Executed on: February 14, 2022

s/ Chris Heinen

Chris Heinen

U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
- ☒ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☒ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- ☐ Defendant to appear before the Judge assigned to the case.
- ☒ Defendant to appear before the Magistrate Judge.
- ☐ Other



Signature of Judicial Officer

2/14/2022

Date